

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

Nicole Wafer,

Plaintiff,

v.

Case No. 10-CV-11731

Hon. John Corbett O'Meara

Hamilton Nursing Home, Inc., *et al.*,

Defendants.

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**ORDER OF PARTIAL DISMISSAL**

Plaintiff Nicole Wafer filed a complaint on April 29, 2010, alleging six causes of action: Count I, violation of Title VII of the Civil Rights Act of 1964: religious discrimination—hostile work environment; Count II, violation of the Michigan Elliott-Larsen Civil Rights Act: religious discrimination—hostile work environment; Count III, violation of Title VII of the Civil Rights Act of 1964: religious discrimination; Count IV, violation of the Michigan Elliott-Larsen Civil Rights Act: religious discrimination; Count V, violation of Title VII of the Civil Rights Act of 1964: retaliation for protected activity; Count VI, violation of the Michigan Elliott-Larsen Civil Rights Act: retaliation for protected activity. Although Plaintiff's Title VII claims are cognizable in this court pursuant to 28 U.S.C. §1331, the remaining allegations present claims based on state law. This court declines to exercise supplemental jurisdiction over Plaintiff's state law claims. See 28 U.S.C. §1367(c); United Mine Workers v. Gibbs, 383 U.S. 715 (1966); Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994).

Accordingly, **IT IS HEREBY ORDERED** that Counts II, IV, and VI of Plaintiff's complaint are **DISMISSED**.

Date: June 10, 2010

s/John Corbett O'Meara  
United States District Judge

I hereby certify that a copy of the above order was served upon the parties of record on this date, June 10, 2010, using the court's ECF system.

s/William Barkholz  
Case Manager